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MAY 10 2004

DIRECTOR OFFICE
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In re Application of
Wolfgang Weidner, et al.
Application No. 09/367,569
Filed: December 21, 1999
For: **RADIO APPARATUS**

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DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT

This is in response to the Petition to Withdraw Holding of Abandonment pursuant to 37 C.F.R. § 1.181 filed October 14, 2003. No fee is required.

This application was held abandoned for failure to respond in a timely and effective manner to the final Office Action mailed January 16, 2003. A Notice of Abandonment was mailed October 3, 2003.

Petitioner asserts that a proper response was timely filed by way of a Notice of Appeal and Brief.

The original Notice of Appeal filed April 10, 2003 and Brief filed May 6, 2003 have recently been located and matched with the file.

In view of the above stated reason, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Any inconvenience caused petitioner is regretted.

The petition is **GRANTED**.

The application file is being forwarded to the Technology Center's technical support staff for entry of the Notice of Appeal and Brief. From there, the file will be forwarded to the examiner for further action in due course.

Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications